

# EXHIBIT 6

1 JAMES VERGARA - CONFIDENTIAL  
2 UNITED STATES BANKRUPTCY COURT  
3 SOUTHERN DISTRICT OF NEW YORK  
4  
5 In re: Chapter 11  
6 LEHMAN BROTHERS HOLDINGS, Case No. 08-13555 (JMP)  
7 INC., et al., (Jointly Administered)  
Debtors.

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11 VIDEOTAPED DEPOSITION OF JAMES VERGARA

20 Examination of the witness taken before  
Helen A. Anderson  
21 Registered Professional Reporter  
Florida Professional Reporter

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1                   JAMES VERGARA - CONFIDENTIAL

2                 Q     And did you do a bid process in  
3 connection with Washington TSA?

4                 A     I believe so.

5                 Q     Do you specifically recall doing a bid  
6 process?

7                 A     Not specifically for Washington TSA.

8                 Q     We haven't seen any documents or  
9 records suggesting there was a bid process. So  
10 to the extent you do have a specific  
11 recollection, can you give me the details of  
12 that bid process?

13                A     I mean, again, I don't have -- I don't  
14 really recall.

15                Q     And then what do you do following the  
16 solicitation of the bids in calculating the  
17 termination amount?

18                A     Well, first you have to actually  
19 receive bids.

20                Q     Okay.

21                A     And then, depending on the number of  
22 bids that you have, you'll mathematically  
23 determine what the termination amount is based  
24 upon that.

25                Q     Do you specifically recall whether any

1                   JAMES VERGARA - CONFIDENTIAL

2       Brothers Special Financing, Inc. And this  
3       relates to the calculation of loss done for  
4       Tobacco New York. Do you see that?

5       A       I do.

6       Q       And on the first page you describe a  
7       market quotation process that you did for  
8       Tobacco Settlement New York. Do you see that?

9       A       Yes.

10      Q       And if you had conducted a similar  
11     process for Washington Tobacco, would you have  
12     reflected it in your calculation of loss  
13     memorandum that we looked at?

14      A       Most likely.

15      Q       And you just don't remember one way or  
16     another if you did do a quote solicitation  
17     process for Washington Tobacco?

18      A       Yes.

19      Q       Does this refresh your recollection  
20     that you may not have done one for Washington  
21     Tobacco?

22      A       No.

23      Q       Were you aware that Lehman had  
24     solicited and received a market quotation for  
25     the Washington RFA in March of 2009?

1                   JAMES VERGARA - CONFIDENTIAL

2                   C E R T I F I C A T E

3   STATE OF FLORIDA      )

        )

4   COUNTY OF DUVAL      )

5                   I, Helen A. Anderson, Registered  
6   Professional Reporter, Florida Professional  
7   Reporter and Notary Public, certify that I was  
8   authorized to and did stenographically report  
9   the deposition of JAMES VERGARA; that a review  
10   of the transcript was not requested; and that  
11   the transcript is a true and complete record of  
12   my stenographic notes.

13                  I further certify that I am not a  
14   relative, employee, attorney, or counsel of any  
15   of the parties, nor am I a relative of any of  
16   the parties' attorneys or counsel connected with  
17   the action, nor am I financially interested in  
18   the action.

19                  DATED this 25th day of November,  
20   2013.

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Helen A. Anderson, RPR, FPR

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